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November 11, 2019

VIA ELECTRONIC CASE FILING

Honorable Steven I. Locke
United States Magistrate Judge
United States District Court
Eastern District of New York
Long Island Federal Courthouse
100 Federal Plaza
Central Islip, New York 11550

Re: Nunez v. Village of Rockville Centre, et.al.
Docket No.: CV-18-4249 (DRH)(SIL)

Dear Judge Locke:

As your records will reflect, we are the attorneys representing the Plaintiff in the above-referenced matter. We are in receipt of the letter from Mr. Croutier to the Court advising of the decision issued by the Second Department. We thank Counsel for advising us of this decision as we were unaware that it had been issued. In response to counsel's missive, we note to Your Honor that there is a Dissent in Second Department's ruling issued by Justice Barros and we are currently exploring all options as to the possible review of this matter by the Court of Appeals.

In any event, we do not see any need for this matter to be delayed with regard to the discovery in this matter, and supply this letter as an interim status letter. Currently, we have provided to the Village a Stipulation to Unseal Records which they have not yet produced and claim to have in their possession. We are hopeful that this will allow the Village to supply us with their documents. Further, we were provided with some 777 pages of documents by the County Defendants, of which nearly 200 pages were redacted in some form, with many being completely obliterated. We have asked the County Defendants to immediately provide each of these pages in unredacted form. Our request provided the County 7 days to provide the documents before we would confer prior to seeking the Court's intervention and filing a motion to compel. In July and August, Plaintiff provided full responses to all the Defendants' demands and interrogatories, and on October 29, 2019 we provided supplemental documents pursuant to Rule 26 of the Federal Rules of Civil Procedure. No depositions have taken place to date.

Honorable Steven I. Locke

November 11, 2019

Page 2

We hope this information is helpful to the Court and we thank the Court for its kind consideration.

Respectfully submitted,

Frederick K. Brewington
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cc: William J. Croutier, Jr., Esq. (By ECF)
Pablo A. Fernandez, Esq. (By ECF)
William P. Nolan, Esq. (By ECF)

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